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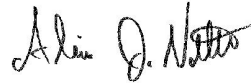
September 17, 2020

Hon. Allison J. Nathan
United States District Judge
United States Courthouse
40 Centre Street
New York, NY 10007

The Government is hereby ORDERED
to respond to the Defendant's request
by September 21, 2020.

SO ORDERED.

SO ORDERED. 9/17/20



Alison J. Nathan, U.S.D.J.

re: USA v. Richard Martinez, 18 cr 526(AJN)

Dear Judge Nathan;

Defendant Martinez was Ordered released on Home Detention by your Honor in April, 2020, because of the COVID-19 epidemic. Martinez was arrested on 7/26/18, and he believes he has satisfied all requirements for safety valve eligibility pursuant to USSG @@ 2D1.1(b)(18) and 5C1.2, and is thus eligible to be sentenced without regard to the Count One 10 year statutory mandatory minimum sentence.


In 2005, Martinez was operated on for a brain tumor at Montefiore Medical Center in the Bronx. Since 2015, Martinez has been treated for diabetes and administered Metformin. He also suffers from hypertension and high cholesterol. Martinez was diagnosed in November, 2019, at Bellevue with prostate cancer. Martinez was operated on at Bellevue Hospital on or about November 10, 2019, for what turned out to be a cancerous tumor that had by then spread to his spinal column from his prostate. As the result of that surgery Martinez suffered paralysis from

his mid chest to his toes.

Martinez now lives with his wife Carmen Quintana and his 2 step sons at their residence in North Bergen, NJ.

Based on the attached letter from Josh Rothman of the SDNY Pre Trial Services office, I request the home incarceration/location monitoring conditions of his release on bond be removed.

Respectfully,



B. Alan Seidler



Alan Seidler <seidlerlaw@gmail.com>

Richard Martinez (18 CR 526)

1 message

Joshua Rothman <Joshua_Rothman@nyspt.uscourts.gov>

Wed, Sep 16, 2020 at 3:50 PM

To: "Adam.Hobson@usdoj.gov" <Adam.Hobson@usdoj.gov>, "Krouse, Michael (USANYS)" <Michael.Krouse@usdoj.gov>, Alan Seidler <seidlerlaw@gmail.com>

Good afternoon,

I had reached out in April about possible removal of the home incarceration/location monitoring conditions for this defendant due to his medical issues. The supervision officer in D/NJ reached out to me this afternoon about possible removal of the conditions. Mr. Martinez is wheelchair bound and only leaves his home for medical appointments, for which he is picked up by a medical transport van. He has been fully compliant with all bail conditions since release. Continuing these conditions for someone in his medical state while sentencing and surrender for service of any potential sentence are adjourned indefinitely seems unnecessary.

Please let me know your positions so we can possible proceed with a modification request.

Thanks,

Josh Rothman

Intensive Supervision Specialist

U.S. Pretrial Services

Southern District of New York

212-805-4339